

**W.A(MD) No.1540 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**Dated : 25.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
AND  
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) No.1540 of 2023  
and  
C.M.P.(MD)No.11877 of 2023**

**A.Jayachandran**

**... Appellant / 6<sup>th</sup> Respondent**

**Vs.**

**1.P.Ramasamy @ Raman**

**2.P.Veluchamy**

**3.L.Kalaivani @ Kalavani**

**4.L.Ruthram Kishore**

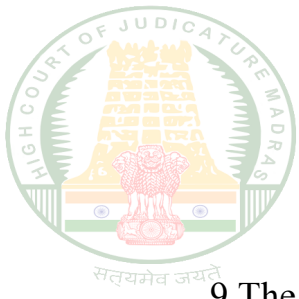
**5.L.Shivani**

**6.P.Saroja**

**7.P.Sudha**

**8.Malliga**

**... 1 to 8 Respondents / Writ Petitioners**



**W.A(MD) No.1540 of 2023**

9.The District Collector,  
Madurai District,  
Madurai.

10.The District Revenue Officer,  
Madurai.

11.The Revenue Divisional Officer,  
Madurai.

12.The Special District Revenue Officer,  
LA-NH-785,  
Madurai District.

13.The Tahsildar,  
Madurai South,  
Collectorate Building,  
Madurai-625 020. ... Respondents 9 to 13 / 1 to 5 Respondents

**PRAYER:** Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 21.06.2023 made in W.P.(MD)No. 10173 of 2021 on the file of this Court and thereby allow the writ appeal.

For Appellant : Mr.S.Meenakshi Sundaram  
Senior Counsel  
for Mr.K.Jeyamohan

For Respondents : Mr.S.Mahesh Babu  
for R1 to R8  
: Mr.N.Satheeshkumar  
Additional Government Pleader  
for R9 to R13



**W.A(MD) No.1540 of 2023**

WEB COPY

**ORDER**

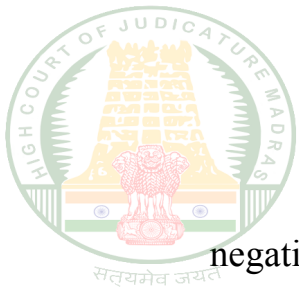
(Order of the Court was made by G.R.SWAMINATHAN, J.)

Heard the learned senior counsel appearing for the appellant and the learned Additional Government Pleader appearing for the official respondents and the learned counsel for the private respondents.

2. This writ appeal is directed against the order dated 21.06.2023 made in W.P.(MD)No.10173 of 2021 filed by the private respondents herein. The appellant herein was shown as 6<sup>th</sup> respondent in the writ petition.

3. The case on hand pertains to 9 acres and 5 cents of land in Survey No.75/1 in Viraganoor Village. Copy of the order of the Assistant Settlement Officer, Madurai dated 31.08.1971 has been enclosed in the typed set of papers. It is seen that the joint patta was issued in favour of as many as 26 persons. The appellant's father Arumugam Pillai is figuring at Serial No.2 in the said proceeding. The appellant herein filed patta appeal before the Revenue Divisional Officer, Madurai. The Revenue Divisional Officer, Madurai vide order dated 04.02.2015

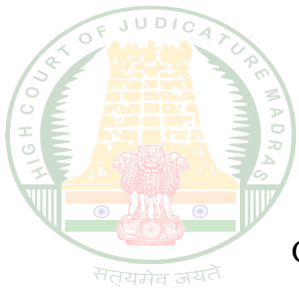
3/7



**W.A(MD) No.1540 of 2023**

negated the claim of the appellant and asked him to go before the jurisdictional civil Court. Aggrieved by the same, the appellant filed revision before the District Revenue Officer, Madurai. The District Revenue Officer, Madurai vide order dated 11.05.2021 even while confirming the order of the RDO, directed the Tahsildar, Madurai (South) to make appropriate changes in the revenue record in favour of the appellant herein. He however made it clear that the said changes would be subject to the outcome of O.S.No.506 of 2013 on the file of the Principal Sub Court, Madurai. Aggrieved by the same, the private respondents herein filed W.P.(MD)No.10173 of 2021. The learned single Judge allowed the writ petition vide order dated 21.06.2023 in the following terms:-

“7. Admittedly, the suit in O.S.No.506 of 2013 filed by the petitioners for a comprehensive relief of declaration and injunction, is pending disposal. The sixth respondent is also a party to the suit as 8th defendant. The first respondent has, in the impugned order, gone into the question of title, which he is prohibited from looking into particularly, when the Act mandates that the authorities should refer the parties to the civil Court, in case, there are serious issues of title as set out in Rule 4(4) of Tamil Nadu Patta Pass Book Act. Therefore, this Writ Petition is allowed and the impugned order dated 11.05.2021 passed by the fourth respondent is set aside and the parties are directed to work out their remedy before the civil



WEB COPY



**W.A(MD) No.1540 of 2023**

Court in the suit in O.S.No.506 of 2013 pending on the file of the Principal Sub Court, Madurai. The learned Principal Sub Judge, Madurai, shall endeavour to dispose of the suit as expeditiously as possible.”

Aggrieved by the same, this writ appeal has been filed.

4. We are clearly of the view that when the DRO has chosen to confirm the order of the RDO, the question of issuing any direction to issue patta in favour of the appellant did not arise at all. Therefore, we cannot fault the order of the learned single Judge for having set aside the order of the DRO. But then, the order of the RDO was questioned only by the appellant and not any other person. Hence, the revenue records will reflect the position that prevailed following the outcome of the RDO's order. No further mutation or restoration of the names will take place till the disposal of the suit. Based on the outcome of O.S.No.506 of 2013 on the file of the Principal Sub Court, Madurai, appropriate changes will be made in the revenue record.



W.A(MD) No.1540 of 2023

WEB COPY

5. The writ appeal is disposed of with the aforesaid observations.

No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)  
25.06.2025

rmi

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

rmi

To

1.The District Collector,  
Madurai District,  
Madurai.

2.The District Revenue Officer,  
Madurai.

3.The Revenue Divisional Officer,  
Madurai.

4.The Special District Revenue Officer,  
LA-NH-785,  
Madurai District.

5.The Tahsildar,  
Madurai South,  
Collectorate Building,  
Madurai-625 020.

6/7



WEB COPY



W.A(MD) No.1540 of 2023

**G.R.SWAMINATHAN, J.**

**AND**

**K.RAJASEKAR, J.**

rmi

W.A(MD) No.1540 of 2023

25.06.2025